

04/18/2008 13:00 FAX

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April 17, 2008

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Re: Kasey D. Alves v. Harrison County, Mississippi, by and through the Board of Supervisors; Harrison County Sheriff's Department; Sheriff George Payne, Jr.; David Decelle; Health Assurance, LLC; Regina Rhodes, Officially and in Her Individual Capacity; Ryan Teel, in His Official and Individual Capacity; Dianne Gatson-Riley, Officially and in Her Individual Capacity; and Unknown John and Jane Does A-Z, in Their Official And Individual Capacities
 Civil Action No. 1:06cv912LGJMR
 Our File No. 1811.098

Dear Woody:

During the course of preparing to assist in the defense of this matter, I reviewed the discovery requests and your correspondence with Jon Tiner regarding your requests for information and documents.

Based upon your March 27, 2008 letter to Jon, it appears that you are focusing your "custom and practice" inquiries on the trial testimony and/or plea acceptance testimony of the deputies who were either convicted or pled guilty in the Williams criminal matter. Therefore, please find below the dates that each of these deputies worked in the Harrison County Adult Detention Center.

Ryan Teel	9/7/99 to 3/8/06
Regina Rhodes	5/17/04 to 4/7/06
Morgan Thompson	5/17/04 to 9/25/06
Dedri Caldwell	4/23/01 to 12/21/05
T. P. Wills	11/18/02 to 5/5/06



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Daniel Evans	9/16/03 to 5/16/06
Karl Stolze	8/1/03 to 9/28/06
William Priest	8/02/04 to 1/19/07
Timothy B. Moore	2/24/03 to 10/11/05
Broderick Fulton	6/01/04 to 12/15/05

While I acknowledge that you have the right to discover documents regarding your "custom and practice" claim, I don't believe you have unlimited scope of discovery, irrespective of the burden of production upon the Defendants, or the likelihood these discovery requests may likely lead to admissible evidence.

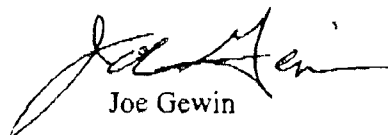
Before we begin a mutual barrage of motions to compel or for protective orders, I propose that we meet, along with all defense counsel who wish to participate, and try to negotiate discovery parameters that could be the basis for a joint protective order.

While the probability of success in this endeavor is a tad less than 100%, I believe that we ought to make a "good faith" effort to resolve this discovery conflict before punting to the Court with motions to compel or for protective orders. As I recall, Court hearings on these motions are generally not very pleasant.

I look forward to your response.

Very truly yours,

DUKES, DUKES, KEATING & FANEC, P.A.



Joe Gewin

JG:lh

cc: Robert H. Pedersen, Esq.
Joe Meadows, Esq.
Walker T. Johnson, Esq.

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bcc: Mr. Walt Warren, AAI
Cy Faneca
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Jon Tiner
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